



ITW

PATENT
450100-4405.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Masakazu KOYANAGI et al.
Serial No.: 10/766,405
Filed: January 27, 2004
For: CONTROLLER FOR PHOTOGRAPHING APPARATUS
AND PHOTOGRAPHING SYSTEM
Examiner: Vo, Tung T
Art Unit: 2621
Confirmation No.: 3366

745 Fifth Avenue
New York, NY 10151

FIRST CLASS MAIL

Date of Deposit: May 14, 2008

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.

William S. Frommer, Reg. No. 25,506
(Name of Applicant, Assignee or Registered Representative)


(Signature)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97 (c)
AND CERTIFICATION UNDER 37 C.F.R. § 1.97 (e)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, applicants are filing this Information Disclosure Statement and the accompanying form PTO-1449 along

with copies of the prior art therein identified. Such prior art has come to the attention of applicants by being cited in an Office Action issued in the corresponding Japanese application on February 26, 2008, and a copy of which is enclosed. This Office Action is also enclosed for showing the relevance of any of the cited references that may be in a foreign language. So far as applicants are aware, this Information Disclosure Statement is being filed before the mailing date of the final Office Action or Notice of Allowance.


As is apparent in said Office Action, applicants' undersigned attorney hereby certifies pursuant to 37 C.F.R. 1.97(e) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

The filing of this Information Disclosure Statement is not an admission that the documents identified herein constitute prior art to the present application.

Please charge any fees incurred by the filing of this document or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 
William S. Frommer
Reg. No. 25,506
Tel. (212) 588-0800

The submitted reference was prepared by a foreign Patent Office, and is directed to a foreign counterpart application to the present US Patent Application. Consistent with Applicant's duty of disclosure under 37 CFR 1.56, Applicant recognizes that the Examiner may consider it relevant when making a patentability determination. However, this submission should not be misconstrued as an admission by the Applicant that the reference is either relevant or not relevant to patentability, especially since the reference was prepared by a foreign Patent Office that is governed by a different body of law than the USPTO.

Nevertheless, in the interest of full disclosure and good faith, Applicant submits the reference for consideration by the Examiner, and requests that the Examiner initial the attached Form PTO 1449, indicating the Examiner has considered this reference.

P.1

Notification of Reasons for Refusal

Patent application number	Japanese Patent Application No. 2005 - 253101
Drafting date	February 20, 2008
Examiner	Hiroshi Oda 9188 5P00
Representative of applicant	Masatomo Sugiura
Applicable articles	Article 29 Paragraph 1, Article 29 Paragraph 2

This application should be refused according to the following reasons. If any arguments on these reasons for refusal exist, please file an argument within 60 days from the sending date of this notification.

Reason

A. Because the invention relating to the following claims in this application is invention described in the following publications distributed in Japan or foreign countries prior to the filing of the patent application, the right to the patent shall not be granted in accordance with the provision of the Article 29 Paragraph 1 Item 3 of the Patent Law.

B. Because the invention relating to the following claims in this application is an invention which could easily have been made, prior to the filing of the patent application, by a person with common knowledge in the art to which the invention pertains, on the basis of an invention described in the following publications distributed in Japan or foreign countries, the right to the patent shall not be granted in accordance with the provision of the Article 29, Paragraph 2 of the Patent Law.

Note (Please refer to the list of references for cited references)

About claim 1, 5, 7

It is recognized that the description of Fig. 9 in cited reference 1 does not have noticeable difference with the invention described in claim 1, 5, 7.

About claim 2, 6

Although it is not clarified what kind of network the "communications network 15" described in cited reference 1 is concretely, it is a well known art as described in cited reference 2 to control the camera via Internet. Also, it is described to use TCP/IP as a protocol.

Furthermore, it is not recognized that there has a noticeable difficulty to adopt Internet as the "communications network 15" described in cited reference 1. In addition, it is not recognized that there has a noticeable difficulty to employ TCP/IP as a protocol.

P.2

About claim 3, 4

With regard to the description of cited reference 2, a HTTP server is installed. As described in the image 1, with regard to the same, because the detailed setting of the camera is available by way of browser, HTML is used. It is also clear that http is used.

In addition, it is a matter that a person skilled in the art can do appropriately to apply the description in cited reference 2 to the invention described in cited reference 1 to make the similar invention described in claim 3, 4

List of cited references

1. Published patent application No. HEI 8 - 149356
2. Tomohisa Iura "Network camera widening possibility of Internet", LANTIMES, Vol. 7 No. 1, January, 1997, Softbank Corporation, p.220 - 222

----- Record of the result of the prior art references searched

Searched Field IPC H04N5/225
DB name
Prior art document

The record of the result of prior art reference searched is not the reason for refusal.

If there is an inquiry about the description of this reason of refusal or a hope of interview, please contact at the following.

Patent Examination Fourth Department Imaging equipment Hiroshi Oda
TEL. 03 (3581) 1101 Extension 3579
FAX. 03 (3501) 0715

Director/Deputy
Primary examiner/Deputy Michiharu Sugawara 8725
Examiner Hiroshi Oda 9188
Assistant Examiner